

PATENT COOPERATION TREATY

10907/13

- ISR
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From the INTERNATIONAL SEARCHING AUTHORITY

To:
BRINKS HOFER GILSON & LIONE
Attn. Mrksich, K.Shannon, Ph.D
P.O. Box 10087
Chicago, IL 60610
UNITED STATES OF AMERICA

NOTIFICATION OF TRANSMITTAL OF THE INTERNATIONAL SEARCH REPORT OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference 10907/13	Date of mailing (day/month/year) 09/07/2002
International application No. PCT/US 01/24894	International filing date (day/month/year) 09/08/2001
Applicant MOTOROLA, INC.	

1. ☒ The applicant is hereby notified that the International Search Report has been established and is transmitted herewith.

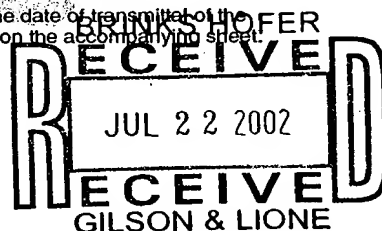
Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland
Facsimile No.: (41-22) 740.14.35

For more detailed instructions, see the notes on the accompanying sheet.



2. ☐ The applicant is hereby notified that no International Search Report will be established and that the declaration under Article 17(2)(a) to that effect is transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. **Further action(s):** The applicant is reminded of the following:

Shortly after **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

Within **19 months** from the priority date, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later).

Within **20 months** from the priority date, the applicant must perform the prescribed acts for entry into the national phase before all designated Offices which have not been elected in the demand or in a later election within 19 months from the priority date or could not be elected because they are not bound by Chapter II.

Name and mailing address of the International Searching Authority European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016	Authorized officer Margarita Tzelepi
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NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 10907/13	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/US 01/ 24894	International filing date (day/month/year) 09/08/2001	(Earliest) Priority Date (day/month/year) 09/08/2000
Applicant MOTOROLA, INC.		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :

☐ contained in the international application in written form.

☐ filed together with the international application in computer readable form.

☐ furnished subsequently to this Authority in written form.

☐ furnished subsequently to this Authority in computer readable form.

☐ the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

☐ the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.

☐ as suggested by the applicant.

☐ because the applicant failed to suggest a figure.

☐ because this figure better characterizes the invention.

☒ None of the figures.

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 01/24894

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 C07B61/00 C07H21/00 G01N33/543 C08F8/46

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 C07B C08F C07H G01N

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 98 30575 A (NEXSTAR PHARMACEUTICALS INC ;EATON BRUCE (US); MCGEE DANNY (US); G) 16 July 1998 (1998-07-16)	1-5, 22-24, 26, 28-34, 36-38
Y	page 1 -page 10 page 11, line 21 - line 31 examples 15,16 claims 1-8 --- -/--	44-48, 60-62; 73-75, 77, 79-85, 88,89

☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *G* document member of the same patent family

Date of the actual completion of the international search

28 June 2002

Date of mailing of the international search report

09/07/2002

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Held, P

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 01/24894

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 582 955 A (WYBOURNE MARTIN N ET AL) 10 December 1996 (1996-12-10) column 1 -column 4 example 9	1-5, 7-9, 22-27, 32, 36-38
X	ELSNER H I ET AL: "USE OF PSORALENS FOR COVALENT IMMOBILIZATION OF BIOMOLECULES IN SOLID PHASE ASSAYS" BIOCONJUGATE CHEMISTRY, AMERICAN CHEMICAL SOCIETY, WASHINGTON, US, vol. 5, no. 5, 1 September 1994 (1994-09-01), pages 463-467, XP000465957 ISSN: 1043-1802 page 466, right-hand column -page 467, left-hand column, paragraph 2	1-5, 22, 24, 26, 37, 38
Y	DATABASE WPI No [2+2] Section Ch, Week 200036 Derwent Publications Ltd., London, GB; Class B04, AN 2000-423411 XP002203841 & WO 00 34457 A (TAKARA SHUZO CO LTD); 15 June 2000 (2000-06-15) abstract	44-48, 60-62, 73-75, 77, 79-85, 88, 89
A	WO 90 15798 A (BOEHRINGER MANNHEIM GMBH) 27 December 1990 (1990-12-27) claims 5, 12, 13	1, 44
A	REHMAN F ET AL: "Immobilization of acrylamide-modified oligonucleotides by co-polymerization" NUCLEIC ACIDS RESEARCH, OXFORD UNIVERSITY PRESS, SURREY, GB, vol. 27, no. 2, 15 February 1999 (1999-02-15), pages 649-655, XP002155808 ISSN: 0305-1048 cited in the application page 649 page 654	1, 44
A	YI-ZHONG A ET AL: "Sequence-Specific Modification of Guanosine in DNA by a C60-Linked Deoxyoligonucleotide: Evidence for a Non-Singlet Oxygen Mechanism" TETRAHEDRON, ELSEVIER SCIENCE PUBLISHERS, AMSTERDAM, NL, vol. 52, no. 14, 1 April 1996 (1996-04-01), pages 5179-5189, XP004104270 ISSN: 0040-4020 schemes 1 and 2	1, 44

INTERNATIONAL SEARCH REPORT

International Application No

PCT/US 01/24894

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	M. N. YOUSAF, M. MRKSICH: "Diels-Alder reaction for the selective immobilization of protein to electroactive self-assembled monolayers" J. AM. CHEM. SOC., vol. 121, 1999, pages 4286-4287, XP002203840 the whole document	1,44
P,X	WO 01 01143 A (BRUSH CHARLES KIMBALL ;LAJOS ROBERT EMIL (US); BEUHLER ALLYSON (US) 4 January 2001 (2001-01-04) cited in the application claims figures	1,9,12, 13, 22-32, 36-41
E	WO 01 84234 A (PROLIGO LLC) 8 November 2001 (2001-11-08) examples 8-11,15,18 claims 1-7	1-5,7, 12,13, 22-32, 36,37

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/US 01/24894

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9830575	A	16-07-1998	AU 6022798 A	03-08-1998
			AU 747242 B2	09-05-2002
			AU 6240698 A	03-08-1998
			EP 1015629 A1	05-07-2000
			EP 0968223 A1	05-01-2000
			JP 2001508657 T	03-07-2001
			JP 2001509828 T	24-07-2001
			WO 9830720 A1	16-07-1998
			WO 9830575 A1	16-07-1998
US 5582955	A	10-12-1996	US 5580697 A	03-12-1996
			US 5587273 A	24-12-1996
WO 0034457	A	15-06-2000	AU 1680900 A	26-06-2000
			AU 1681000 A	26-06-2000
			CN 1334871 T	06-02-2002
			CN 1334872 T	06-02-2002
			EP 1138761 A1	04-10-2001
			EP 1138762 A1	04-10-2001
			WO 0034456 A1	15-06-2000
			WO 0034457 A1	15-06-2000
WO 9015798	A	27-12-1990	DE 3919915 A1	20-12-1990
			AT 199373 T	15-03-2001
			DE 59010918 D1	05-04-2001
			WO 9015798 A1	27-12-1990
			EP 0429611 A1	05-06-1991
			JP 7110851 B	29-11-1995
			JP 4500361 T	23-01-1992
			US 5595741 A	21-01-1997
WO 0101143	A	04-01-2001	US 6372813 B1	16-04-2002
			AU 5636200 A	31-01-2001
			EP 1190254 A2	27-03-2002
			WO 0101143 A2	04-01-2001
WO 0184234	A	08-11-2001	AU 5928501 A	12-11-2001
			WO 0184234 A1	08-11-2001

1/9/1

DIALOG(R)File 351:Derwent WPI

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008496502

WPI Acc No: 1991-000586/199101

XRAM Acc No: C91-000267

New N-aminoalkylmaleimide cpds. as bridging reagent - for prepn. of
hapten derivs. and protein conjugates, useful as immunoassay reagents

Patent Assignee: BOEHRINGER MANNHEIM GMBH (BOEF); ROCHE DIAGNOSTICS GMBH
(HOFF)

Inventor: BATZ H G; HUBER E; KLEIN C; ZINK B; BATZ H

Number of Countries: 015 Number of Patents: 008

Patent Family:

Patent No	Kind	Date	Applicat No	Kind	Date	Week
DE 3919915	A	19901220	DE 3919915	A	19890619	199101 B
WO 9015798	A	19901227				199103
EP 429611	A	19910605	EP 90909048	A	19900616	199123
JP 4500361	W	19920123	JP 90508621	A	19900616	199210
JP 95110851	B2	19951129	JP 90508621	A	19900616	199601
			WO 90EP957	A	19900616	
US 5595741	A	19970121	US 91656051	A	19910214	199710
			US 94278621	A	19940721	
EP 429611	B1	20010228	EP 90909048	A	19900616	200113
			WO 90EP957	A	19900616	
DE 59010918	G	20010405	DE 510918	A	19900616	200121
			EP 90909048	A	19900616	
			WO 90EP957	A	19900616	

Priority Applications (No Type Date): DE 3919915 A 19890619

Cited Patents: 2.Jnl.Ref; DE 2310118; EP 142193; EP 158291; EP 178125

Patent Details:

Patent No	Kind	Lan	Pg	Main IPC	Filing Notes
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WO 9015798	A				
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Designated States (National): JP US

Designated States (Regional): AT BE CH DE DK ES FR GB IT NL SE

EP 429611	A			C07D-207/452	
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Designated States (Regional): AT BE CH DE ES FR GB IT LI LU NL SE

JP 95110851	B2	9		C07D-207/452	Based on patent JP 4500361
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Based on patent WO 9015798

US 5595741	A	8		C08L-077/04	Div ex application US 91656051
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EP 429611	B1 G			C07D-207/452	Based on patent WO 9015798
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Designated States (Regional): AT BE CH DE DK ES FR GB IT LI LU NL SE

DE 59010918	G			C07D-207/452	Based on patent EP 429611
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Based on patent WO 9015798

Abstract (Basic): DE 3919915 A

Aminoalkylmaleimide derivs. of formula (I) and their acid addn. are new, where R1 and R2 = H or 1-4C alkyl; A = linear or branched 2-6C alkylene; excluded is N-(6-aminohexyl) maleimide.

Also new are (a) derivs. of formula (II) and (b) conjugates (III) made by reacting (II) with a peptide or protein contg. at least one SH gp. Hap = residue of a hapten or antigen contg. 1 or more COOH (or reactive derive.).

Pref. R1 or R2 = H; A = 2-4C linear alkyl. In (II), Hap is a steroid or xanthine deriv., esp. cortisol, testosterone, digoxigenin or theophylline.

USE/ADVANTAGE - (III) are useful as reagents in diagnostic assays (esp. immunoassays) for determining Hap. (II), which contain Hap in almost unaltered form, are used to raise antibodies which show high affinity for Hap but almost no cross-reactivity with the bridging gp. (I) are stable bridging reagents which are simple to prepare and react with haptens under mild conditions.

Dwg.0/0

Abstract (Equivalent): US 5595741 A

Peptide or protein conjugate cpd. as produced by reaction of an amidoalkyl-maleimide of formula (II) with a peptide or protein carrying at least 1 sulphhydryl gp.:

Hap = hapten;

R1,R2 = 1-4C alkyl or H, and

A = 2-6C alkylene which is uninterrupted or interrupted by an O, S or carbonyl.

Dwg.0/0

Title Terms: NEW; N; AMINO; ALKYL; MALEIMIDE; COMPOUND; BRIDGE; REAGENT; PREPARATION; HAPTEN; DERIVATIVE; PROTEIN; CONJUGATE; USEFUL; IMMUNOASSAY; REAGENT

Derwent Class: B03; B04

International Patent Class (Main): C07D-207/452; C08L-077/04

International Patent Class (Additional): A61K-037/02; A61K-039/385;

C07D-207/45; C07K-001/13; C07K-015/12; G01N-033/53; G01N-033/531;

G01N-033/535; G01N-033/547

File Segment: CPI

Manual Codes (CPI/A-N): B01-C02; B01-C05; B01-D02; B04-A06; B04-B02A;

B04-B02D; B04-B04C2; B04-C01; B07-D02; B11-C07A; B12-K04A

Chemical Fragment Codes (M1):

02 F011 F012 F013 F014 F015 F422 H2 H211 J0 J011 J3 J371 J5 J522 L9
L930 M210 M211 M212 M213 M214 M231 M232 M233 M240 M280 M281 M282
M312 M313 M314 M315 M321 M331 M332 M333 M342 M383 M391 M423 M510
M521 M530 M540 M710 M903 M904 V791 9101-03502-N

Chemical Fragment Codes (M2):

01 F011 F012 F013 F014 F015 F422 H1 H100 H181 H2 H211 J5 J522 L9 L930
M210 M211 M212 M213 M214 M231 M232 M233 M240 M280 M281 M282 M312
M313 M314 M315 M321 M331 M332 M333 M342 M383 M391 M413 M510 M521
M530 M540 M640 M650 M710 M903 M904 9101-03501-N

03 D012 D015 D932 F011 F012 F013 F014 F015 F422 H2 H213 J0 J011 J3 J371
J5 J523 L9 L910 L930 M210 M211 M212 M213 M214 M231 M232 M233 M240
M273 M281 M282 M283 M312 M313 M314 M315 M321 M322 M331 M332 M333
M342 M372 M383 M391 M412 M511 M521 M530 M540 M710 M903 M904 P831 V0
V460 9101-03502-N

Chemical Fragment Codes (M5):

04 M710 M903 M904 P831 S004 S131 S132 S133 S134 S142 S217 S303 S311
S314 S317 S500 S511 S514 S517 S521 S600 S620 S700 S730 S733 S740
S800 S803 S831 S833 T100 T117 T131 T132 T138 T142 T600 T635 T638
T642 T703 T731 U500 U501 U520 U521 V402 9101-03502-N

Generic Compound Numbers: 9101-03502-N; 9101-03501-N